

09-19- IC11 Rec'd PCT/PTO SEP 17 2001 #3

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Date of Deposit September 18, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James et al.

Serial No.: 09/914,659

Filed: August 31, 2001

For: Culture of Mycobacteria

RESPONSE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above referenced application was filed as a National Phase application with the Applicant being erroneously claimed as a small entity. Applicant requests that its status be corrected to reflect that this invention is assigned to a large entity.

Based on it being a large entity, the correct filing fee for this application is calculated to be \$1022 (basic filing fee of \$860 with EPO search Report and 9 additional claims at \$18 each). However, when filing the application on August 31, 2001, Applicant only filed a check of \$511 based on the erroneous claim of small entity. To correct this error, Applicants herewith enclose a check for the remainder of \$511.

If any additional fee or late payment fee is due, the USPTO is authorized to charge Deposit Account No. 08-2442.

Respectfully submitted,  
HODGSON RUSS LLP

By Ranjana Kadle  
Ranjana Kadle, Registration No. 40,041

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September 18, 2001

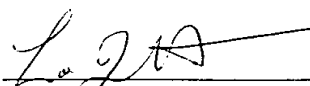
US APPLICATION NO. (if known see 37 CFR 1.50) 09/889,820		INTERNATIONAL APPLICATION NO. PCT/EP00/00350		ATTORNEYS DOCKET NO. P32233	
20. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 C.F.R. 1.492(a)(1)-(5)):					
Search Report has been prepared by the EPO or JPO .....\$860.00				0.00	
International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) .....\$690.00					
No International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$710.00				\$0.00	
Neither International Preliminary Examination Fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,000.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$80.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$270.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$130.00	
09/25/2001 USPTO FILE 00000011 192570 09889820 Sale Ref: 00000096 DAH: 192570 09889820 01 FC:154 130.00 CH 02 FC:581 40.00 CH				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$130.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application (37 CFR 1.136 (a)(3)).

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

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